1: Meek E, G-5 (1925-1930) 1931
FF38 Katab FF38

direct with Zaria.) The Makama of Zaria was the Kauru "intermediary" (*kofa*), and the Galadiman Makama used to accompany the chief of Kauru on his annual visit to Zangon Katab, when tribute, in the form of slaves, was collected town by town. The Katab were not always, however, under control and would, on occasion, unite to drive the chief of Kauru out of Zangon Katab and pillage the Hausa inhabitants. Occurrences such as this were exceptional, for it was admitted that normally all Katab who committed serious offences were sent to Kauru to be sold into slavery. Thus one guilty of murder or burglary was dispatched to Kauru. He might be ransomed by his relatives, but as the ransom for a murderer was four slaves, the relatives seldom exercised the privilege. Minor offences could be dealt with locally. A small theft committed by a fellow clansman would be dealt with privately, the thief receiving a thrashing and being made to restore the stolen property. Or he might be haled before the sub-clan chief and elders (the elders generally acquiescing in the decision of the chief). The thief would be made to restore the stolen property and be mulcted in a fine, two-thirds of which would go to the complainant, the remaining one-third being divided among the chief and elders. An adulterer would also be haled before the chief and fined; but if he was a fellow clansman the injured husband would say nothing beyond abusing his wife. Disputes as to the paternity of children were determined by the administration of sass-wood to chickens representing the contending parties. Those charged with witchcraft were required to drink the sass-wood personally; but the permission of the sub-clan head had to be obtained before trials by ordeal could be held. Owing to the custom of contracting sub-marriages, disputes as to the paternity of children were, and still are, of daily occurrence. The complainant (the prior husband) went with the elders of his town to the town of his former wife's parents. The new husband also appeared, accompanied by his elders, and the matter was threshed out before the seniors of all three villages, the protagonists being the woman and her former husband. If the matter could not be decided the late husband and the new husband each produced a chicken and sass-wood was administered. The case was decided in favour of the man whose chicken survived.

This question of the contraction of sub-marriages and the

1: Meek E, G-5 (1925-1930) 1931
FF38 Katab FF38

This question of the contraction of sub-marriages and the 691 582
resultant disputes as to the paternity of children has exercised the minds of the Administration for many years. It is horrifying to both the Muslim and the European mind that an enceinte woman should abandon her husband and bring forth and wean a child in the house of a rival husband. The repugnance felt towards the practice and the unceasing court cases which it entailed led everyone, including the Katab chiefs themselves, to the conclusion that the best method of dealing with the Gordian knot was to cut it. And so proposals were brought forward that a woman who was enceinte should not contract a sub-marriage with another man until she had weaned her child, and that rival suitors or parents who influenced or harboured "fugitive" wives should be punished. The Katab chiefs, if they did not actually suggest these alterations in their tribal custom, at any rate agreed, but when the new rules were about to be promulgated they suddenly dissented, realizing that the matter was not so simple as it had appeared, and that the alteration would strike at the very basis of their social life. And so at the last moment the suggested innovations were abandoned, and the present position in Zaria Province is that a man whose wife runs off to another man, and whom he believes to be enceinte by him, must immediately notify the Court. Paternity disputes have in consequence diminished. This rule has been adopted in the Plateau Province by those tribes who are independent; but, if my information is correct, in the Iya's district of the Jema'a Division rules have been lately introduced forbidding a woman who is enceinte or weaning a child to contract a sub-marriage. If this is so, it means, in practice, that the Administration is putting a stop to the contraction of sub-marriages, on which the present social organization largely depends. Quite apart from that, the rule is likely to cause more trouble than it removes.

The sub-clan head had not a great deal of authority, being 613 554
simply an intermediary between the sub-clan and the foreign rulers. He had nothing to do with the assignment of or collection of taxes, as the Kauru rulers dealt direct with the villages in such matters. He was, however, the mouthpiece of the Kauru rulers, and could summon the village and sub-clan heads to discuss matters of administration. In judicial matters he could deal with minor offences, but took as little responsibility as possible, referring to Kauru all important matters or those

423 593 worked would continue to belong to the farmer and his descendants no matter how long it may have remained unworked. It would not return to the ' pool ' unless all members of the family had died out.

Alienation sale. 425 65. Sale is not customary and would not be acknowledged—not even the restricted form of sale referred to in paragraph 49 above. There is no land hunger and the circumstances for sale do not exist, *i.e.*, a would-be buyer and exchange value for the land.

Loan. 426 66. The loaning of land is customary and is the same in its essential details as that described for the Kagoro with the substitution of the brewing and sharing of a pot of beer for the gift of a chicken. All lands occupied by the Kaje immigrants are loaned. The same rules regarding the building of a house apply—except that a two years' grace period is allowed here instead of the one year with the Kaje.

Pledge. 67. Pledging does not occur. Opinion would not regard it as being in accord with custom if it did.

[431] [427] 68. Gift, leasing or renting are unknown and would not be acknowledged by custom if they occurred.

Authority in land matters. 691 423 69. The normal procedure, both in the past and now, in the case of a farm dispute is for the claimant to a farm or part of a farm to hang up on a bush on the farm a bunch of " Kujemi " leaves. This ensures that the occupier will forthwith cease any work on the farm. He dare not do otherwise. The occupier would then report the matter to the kindred elders who would investigate the rival claims and give their decision. In past times this decision would be observed by both disputants, the elders if necessary giving the tribal oath or " tsafi " to the occupier of the farm. The challenger would have been obliged to accept the decision of the " tsafi " and remove the " Kujemi " leaves—providing, of course, the occupant had not been stricken dead by taking a false oath. Nowadays though most cases would still be settled by the decision of the kindred elders a disputant, if aggrieved by the decision of the elders, could refuse to have the oath given by them and have the matter settled by the Native Court instead. It is to be noted that in the past the elders of the Dun, Kudak, Chorr and Ngeh kindreds would have no say at all in the Wenyum kindred's land matters and *mutatis mutandis*. They would have the power now since representatives of each kindred sit on the Court. The extent to which each of the four kindreds would, in practice, interfere with the decision of the representatives of the fifth kindred is not known. There is, of course, nowadays,

Jaba
Hausa MS12

appeal beyond the local Native Court. This point will be dealt with at a later stage of the report. It may be said, here, that such appeals are so extremely rare as to be almost non-existent.

K 691 423

70. Except for the Kaje there is little if any immigration by aliens on to the Jaba lands. Immigration.

K 167

ZANGON KATAB DISTRICT

H K 101 161

71. The Administrative Organisation of this district is identical with that described in paragraphs 14 and 57. There is a central Hausa enclave, in which the District Head has his headquarters and from which the district is administered. This is surrounded by lands of the various pagan tribes, principally the Katab, Kaje and Chawai. Population details are:—

Hausa ...	... 5,587		
Kaje ...	... 21,633	(22,446)	(the balance in Kachia District).
Katab ...	... 16,471	(19,243)	(the balance in Moroa and Kagoro).
Chawai	... 8,653	(8,653)	
Ikulu ...	... 5,533	(5,533)	
Kamantan	... 3,409	(3,409)	
Others ...	... 1,573		

The figures in brackets indicate the total number of the tribe in the Province.

72. The Hausa enclave consists of a small town surrounded by its farmlands and fallow with a few outlying hamlets—the normal Hausa pattern. It has existed for a very considerable time, well over a hundred years, its inhabitants having come in the first place as conquerors and established themselves on what were once Katab lands by right of conquest. It was the most far flung outpost of the old Kauru fief. The present boundaries of the enclave were established some thirty years ago by the British administration. They were readjusted some twelve years ago to include additional lands as the original area was found to be inadequate. Any further 'adjustment' of this nature would lead to complications as the Katab and Kaje themselves have little if any spare lands. (*See* Political Memorandum No. 8, paragraph 32, exception (*c*)). As we have seen, in paragraph 70 above, the Kaje themselves are 'borrowing' land from the Jaba area and, paragraph 19, the Katab have encroached into the Kagoro district. The dissolution of the Katab village unit of Tum and its absorption into the Kagoro unit of Fada has a significance in this connection. The Hausa enclave.

K H 101 175

[4·20]

Kaje
Hausa MS12

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612 and points out that with the " Baintso and Bainduang exogamy is
621 breaking down ". A further report in 1932 which was also
614 discovered refers, however, to five clans—Baindon, Baichok, Baibai, Baiturań and Kahon. The prefix Bai is, of course, " the men of ". I have used the ancestral name. These correspond respectively with (*ii*), (*i*), (*v*), (*iii*) and (*iv*). There appears now to be a new appearance in Afwun. As, however, these reports refer to clans whereas I refer to " kindreds " there may be no discrepancy at all and the appearance of a new kindred is no more than a development on the lines of Brice-Smith's description. It is a detail which does not affect the general issue.]

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●691 87. I was informed that in the case of a land dispute arising
627 in Afana the elders of Afana would try to mediate and settle. They might even attempt to administer the oath on the " drum ". Either disputant would, however, have the right to refuse to take the oath and the matters would then go to the elders of Afwun. There would be no appeal beyond that. The elders of Afwun would administer the oath on the " drum " and the matter would be finally settled. Neither Tsok, Dwan or any other of the kindreds would be consulted. So, it was stated, would each of the six kindreds act. Such matters would not come before the Native Court unless there was an actual ' breach of the peace ', *i.e.*, a fight. In this case the ' breach of the peace ' would be dealt with by the Court. But the cause of the breach—the farm dispute—would still be settled in the customary manner by the tribal elders.

Other tribes.
000 88. In view of the great number of tribes present in the Province it would be impossible to give in detail, without many months of investigation, the precise land tenure system of each tribe. Sufficient has been written to give a general idea of the situation, however, and I have no reason to believe that examination of other areas will reveal any fundamental divergences. The broad pattern is plain. I have made cursory enquiries of members of all indigenous tribes that I have come across and these enquiries confirm the above. Cursory enquiries, however, are apt to be cursory. Confirmation—or refutation—will have to come from Administrative Officers on tour when visiting the various areas, after they have examined the local custom carefully.

HAUSA AREAS

(i) The Hausa Enclaves

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621 89. The Hausa enclaves at Zangon Katab and Kachia may be taken as typical examples of Hausa settlements in pagan areas. The Zangon Katab enclave is described in paragraph 72, that of Kachia is briefly referred to in paragraph 51.